



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

HF226	2
HF227	8
HF228	15
HF229	17
HF230	25
HF231	27
HF232	29
HF233	36
HF234	41
HF235	46
HF236	48



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 226 - Introduced

HOUSE FILE 226
BY THOMAS

A BILL FOR

1 An Act relating to alternate energy by allowing the
2 establishment of alternate energy aggregation projects.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1128HH (1) 85
rn/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 226

1 Section 1. Section 476.1, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5A. An alternate energy aggregation
4 project established pursuant to section 476.49 shall not be
5 regarded as a public utility for purposes of this chapter.

6 Sec. 2. Section 476.25, Code 2013, is amended by adding the
7 following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. The furnishing of electricity
9 pursuant to an alternate energy aggregation project under
10 section 476.49 shall not be considered an unnecessary
11 duplication of electric utility facilities and shall not
12 constitute a violation of this section.

13 Sec. 3. NEW SECTION. **476.49 Alternate energy aggregation**
14 **projects.**

15 1. *Definitions.* For purposes of this section, unless the
16 context otherwise requires:

17 a. *"Alternate energy aggregation project"* means an electric
18 generating facility with a nameplate generating capacity of
19 two megawatts or less which is comprised of a minimum of three
20 subscribers, at least one of which is an alternate energy
21 production facility as defined in section 476.42, who jointly
22 share the beneficial use of the electricity generated by the
23 project.

24 b. *"Subscriber"* means a retail customer of an electric
25 utility subject to this division who owns a subscription and
26 who has identified one or more physical locations to which the
27 subscription shall be attributed or attached.

28 c. *"Subscription"* means a proportional interest in
29 an alternate energy aggregation project, together with a
30 proportional interest in any state or federal tax credits for
31 which an alternate energy production facility associated with
32 the project may be eligible.

33 2. *Program established.*

34 a. An alternate energy aggregation project may be
35 established to encourage and enhance the ability of electric

LSB 1128HH (1) 85

-1-

rn/nh

1/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 226

1 utility customers to participate in and derive benefit from
2 alternate energy projects.

3 **b.** An alternate energy aggregation project established
4 pursuant to this section shall be subject to the following
5 requirements and specifications:

6 (1) A project may be established by an electric utility
7 or any other for-profit or nonprofit entity or organization,
8 including a subscriber organization whose sole purpose shall be
9 beneficially owning and operating the project. Additionally,
10 a project may be constructed, owned, and operated by a third
11 party under contract with a subscriber organization and
12 pursuant to a lease, sale-leaseback transaction, operating
13 agreement, or other third-party ownership arrangement.

14 (2) Physical locations to which subscriptions are
15 attributed or attached shall be located within the same county
16 or municipality and within the same electric utility service
17 area. Each subscription shall represent at least one kilowatt
18 of the alternate energy aggregation project's generating
19 capacity and shall supply no more than one hundred twenty
20 percent of the average annual consumption of electricity by
21 each subscriber at the premises to which the subscription is
22 attributed or attached. Subscriptions may be transferred
23 or assigned to a subscriber organization or to any person
24 or entity otherwise qualifying as a subscriber pursuant to
25 this section, and may be continued following relocation of
26 a subscriber to another location within the same county or
27 municipality and electric utility service area otherwise
28 meeting the requirements of this section. A subscription
29 following relocation may be subject to adjustment to reflect
30 any differences between the new and previous premises'
31 electricity usage rate. The board shall determine transfer,
32 assignment, and relocation criteria by rule.

33 (3) Electricity generated pursuant to the project shall
34 be aggregated and then proportionately allocated to each
35 subscriber. Excess electricity generated by the project not

LSB 1128HH (1) 85
rn/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 226

1 utilized at the premises to which a subscription is attributed
2 or attached may be sold pursuant to a power purchase agreement
3 entered into with the electric utility at the same rates
4 applicable to alternate energy production facilities pursuant
5 to section 476.43.

6 (4) Notwithstanding the maximum purchase and ownership
7 restrictions contained in section 476.44, an electric utility
8 subject to this division shall enter into one or more power
9 purchase agreements with one or more projects to purchase a
10 minimum of five hundred kilowatts of electricity annually. The
11 board may by rule adjust this requirement on or after July 1,
12 2016.

13 (5) Federal or state tax credits for which the alternate
14 energy production facility associated with the project
15 qualifies shall be proportionately allocated to each
16 subscriber.

17 3. *Rules.* The board shall adopt rules governing the
18 establishment of alternate energy aggregation projects pursuant
19 to this section.

20 EXPLANATION

21 This bill allows the establishment of alternate energy
22 aggregation projects.

23 The bill defines an "alternate energy aggregation project"
24 to mean an electric generating facility with a nameplate
25 generating capacity of two megawatts or less which is comprised
26 of a minimum of three subscribers, at least one of which
27 is an alternate energy production facility as defined in
28 Code section 476.43, who jointly share the beneficial use of
29 the electricity generated by the project. The bill defines
30 a "subscriber" to mean a retail customer of an electric
31 utility who owns a subscription and who has identified one or
32 more physical locations to which the subscription shall be
33 attributed or attached. The bill defines a "subscription" to
34 mean a proportional interest in an alternate energy aggregation
35 project, together with a proportional interest in any tax

LSB 1128HH (1) 85

-3-

rn/nh

3/5



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 226

1 credits for which the alternate energy production facility
2 associated with the project may be eligible.

3 The bill states that the objective of a project shall be to
4 encourage and enhance the ability of public utility customers
5 to participate in and derive benefit from alternate energy
6 projects.

7 Regarding project ownership, the bill provides that
8 a project may be established by an electric or any other
9 for-profit or nonprofit entity or organization, including a
10 subscriber organization whose sole purpose is to beneficially
11 own and operate the project. A project can also be
12 constructed, owned, and operated by a third party under
13 contract with a subscriber organization and pursuant to a
14 lease, sale-leaseback transaction, operating agreement, or
15 other third-party ownership arrangement.

16 The bill provides that physical locations to which
17 subscriptions are attributed or attached must be located within
18 the same county or municipality and within the same electric
19 utility service area. The bill states that each subscription
20 shall represent at least one kilowatt of a project's generating
21 capacity and shall supply no more than 120 percent of the
22 average annual consumption of electricity by each subscriber
23 at the premises to which the subscription is attributed or
24 attached. The bill authorizes the transfer, assignment, or
25 relocation of subscriptions, under conditions to be determined
26 by the board by rule.

27 The bill states that electricity generated pursuant to
28 a project shall be aggregated and then proportionately
29 allocated to each subscriber, and that excess electricity
30 generated by the project not utilized at the premises to which
31 a subscription is attributed may be sold pursuant to a power
32 purchase agreement entered into with the electric utility
33 at the same rates applicable to alternate energy production
34 facilities pursuant to Code section 476.43.

35 The bill imposes purchase requirements on electric

LSB 1128HH (1) 85
rn/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 226

1 utilities. The bill states that an electric utility shall
2 enter into one or more power purchase agreements with one
3 or more projects to purchase a minimum of 500 kilowatts of
4 electricity annually. The bill provides that the board may by
5 rule adjust this requirement on or after July 1, 2016, and that
6 subscribers shall qualify for the federal and state tax credits
7 for which the alternate energy production facility qualifies on
8 a proportionate basis.

9 The bill provides that an alternate energy aggregation
10 project shall not be considered a public utility subject to
11 the regulatory provisions of Code chapter 476, and that such a
12 project does not violate provisions contained in Code chapter
13 476 prohibiting the unnecessary duplication of electric utility
14 facilities.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 227 - Introduced

HOUSE FILE 227
BY BYRNES

A BILL FOR

1 An Act providing for entrepreneurial education accounts for
2 student organizations and clubs and including effective date
3 and applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2042YH (3) 85
je/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 227

1 Section 1. Section 11.6, subsection 1, paragraph a,
2 subparagraph (1), Code 2013, is amended to read as follows:
3 (1) Except for entities organized under chapter 28E having
4 gross receipts of one hundred thousand dollars or less in
5 a fiscal year, the financial condition and transactions of
6 all government subdivisions shall be audited at least once
7 each year, except that cities having a population of seven
8 hundred or more but less than two thousand shall be examined
9 at least once every four years, and cities having a population
10 of less than seven hundred may be examined as otherwise
11 provided in this section. The audit of school districts shall
12 include an audit of all school funds including categorical
13 funding provided by the state, the certified annual financial
14 report, the certified enrollment as provided in section 257.6,
15 supplementary weighting as provided in section 257.11, and the
16 revenues and expenditures of any nonprofit school organization
17 established pursuant to section 279.62, and entrepreneurial
18 education accounts established pursuant to section 298A.8A.
19 Differences in certified enrollment shall be reported to the
20 department of management. The audit of school districts shall
21 include at a minimum a determination that the laws of the
22 state are being followed, that categorical funding is not
23 used to supplant other funding except as otherwise provided,
24 that supplementary weighting is pursuant to an eligible
25 sharing condition, and that postsecondary courses provided in
26 accordance with section 257.11 and chapter 261E supplement,
27 rather than supplant, school district courses. The audit of
28 a city that owns or operates a municipal utility providing
29 local exchange services pursuant to chapter 476 shall include
30 performing tests of the city's compliance with section 388.10.
31 The audit of a city that owns or operates a municipal utility
32 providing telecommunications services pursuant to section
33 388.10 shall include performing tests of the city's compliance
34 with section 388.10.
35 Sec. 2. Section 12B.10, subsection 6, Code 2013, is amended

LSB 2042YH (3) 85

-1-

je/sc

1/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 227

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *m.* Investments by a student organization
3 or club of moneys from an entrepreneurial education account
4 governed by section 298A.8A.

5 Sec. 3. Section 298A.8, Code 2013, is amended to read as
6 follows:

7 **298A.8 Student activity fund.**

8 The student activity fund is a special revenue fund. A
9 student activity fund must be established in any school
10 corporation receiving money from student-related activities
11 such as admissions, activity fees, student dues, student
12 fund-raising events, or other student-related cocurricular or
13 extracurricular activities. Moneys in this fund, other than
14 moneys in an entrepreneurial education account established
15 under section 298A.8A, shall be used to support only the
16 cocurricular program defined in department of education
17 administrative rules.

18 Sec. 4. NEW SECTION. **298A.8A Entrepreneurial education**
19 **accounts.**

20 1. *Accounts established — purposes.* For the purposes
21 of enhancing student learning by encouraging students to
22 develop and practice entrepreneurial skills at an early age
23 and of fostering a business-ready workforce in this state,
24 a school corporation shall establish an entrepreneurial
25 education account within a student activity fund at the
26 request of a student organization or club. An entrepreneurial
27 education account shall consist only of moneys earned through
28 entrepreneurial activities or returns on investments made for
29 entrepreneurial purposes by the student organization or club,
30 and any interest earned on such moneys, that are deposited
31 in the account. Such moneys shall be held in trust by the
32 school corporation for the members of the student organization
33 or club. Moneys in the account shall be used only by the
34 student organization or club and shall be used only for
35 investments made for entrepreneurial purposes in accordance

LSB 2042YH (3) 85

-2-

je/sc

2/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 227

1 with this section. The student organization or club may
2 designate an entrepreneurial purpose for the use of moneys
3 in the account in accordance with this section. A school
4 corporation shall release moneys in the account for use by the
5 student organization or club upon approval of the designated
6 entrepreneurial purpose by the board of directors of the school
7 district by resolution. A school organization or club shall
8 deposit any return on an investment made with moneys from the
9 account in either the school corporation's student activity
10 fund or in the student organization's or club's account within
11 the student activity fund.

12 2. *Funds segregated.* Upon request of a student organization
13 or club, a school corporation shall segregate moneys in
14 a student activity fund established under section 298A.8,
15 for deposit by the student organization or club in an
16 entrepreneurial education account. However, a school
17 corporation shall not segregate such moneys unless the moneys
18 are attributable through appropriate documentation to the
19 specific student organization or club and unless the student
20 organization or club shows through appropriate documentation
21 that the student organization or club earned the moneys
22 through entrepreneurial activities as defined in subsection 4,
23 paragraph "a".

24 3. *Conflicts of interest prohibited.* A student organization
25 or club shall not invest moneys from an entrepreneurial
26 education account for an entrepreneurial purpose in which a
27 member of the student organization or club, an advisor or
28 supervisor of the student organization or club, or an immediate
29 family member of such persons, has a financial interest.

30 4. *Definitions.* For purposes of this section:

31 a. "Entrepreneurial activities" means starting, maintaining,
32 or expanding a business venture, including a seasonal business
33 venture.

34 b. "Entrepreneurial purpose" means investing in a start-up
35 company, early-stage company, or existing company developing a

LSB 2042YH (3) 85

-3-

je/sc

3/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 227

1 new product or new technology if the investment is in keeping
2 with the education program of the school corporation; if
3 the student organization or club or its members will, as a
4 stated condition of the investment, take an active role in the
5 company which active role directly relates to and furthers the
6 educational purposes for which the student organization or club
7 is established; and if a reasonable return upon the investment
8 is expected.

9 c. "Immediate family member" means a spouse; natural or
10 adoptive parent, child, or sibling; or stepparent, stepchild,
11 or stepsibling.

12 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
13 immediate importance, takes effect upon enactment.

14 Sec. 6. APPLICABILITY. This Act applies to moneys in a
15 student activity fund established under section 298A.8, on
16 the effective date of this Act, that are attributable through
17 appropriate documentation to a specific student organization or
18 club and that were earned by the student organization or club
19 through entrepreneurial activities as defined in section
20 298A.8A, subsection 4, paragraph "a".

21 EXPLANATION

22 This bill requires a school corporation, at the request of a
23 student organization or club, to establish an entrepreneurial
24 education account within a student activity fund established
25 under Code section 298A.8 for the purposes of enhancing student
26 learning by encouraging students to develop and practice
27 entrepreneurial skills at an early age and of fostering a
28 business-ready workforce in Iowa. The bill provides that an
29 entrepreneurial education account can consist only of moneys
30 earned through entrepreneurial activities or returns on
31 investments made for entrepreneurial purposes by the student
32 organization or club, and any interest earned on such moneys,
33 that are deposited in the account. The bill provides that such
34 moneys must be held in trust by the school corporation for the
35 members of the student organization or club. The bill provides

LSB 2042YH (3) 85

-4-

je/sc

4/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 227

1 that moneys in the account can only be used by the student
2 organization or club and can only be used for investments made
3 for entrepreneurial purposes in accordance with the bill.

4 The bill provides that the student organization or club may
5 designate an entrepreneurial purpose for the use of moneys in
6 the entrepreneurial education account in accordance with the
7 bill. The bill requires a school corporation to release moneys
8 in the account for use by the student organization or club
9 upon approval of the designated entrepreneurial purpose by the
10 board of directors of the school district by resolution. The
11 bill requires the school organization or club to deposit any
12 return on an investment made with moneys from the account in
13 either the school corporation's student activity fund or in
14 the student organization's or club's entrepreneurial education
15 account within the student activity fund.

16 The bill requires a school corporation, upon request of
17 a student organization or club, to segregate moneys in a
18 student activity fund for deposit by the student organization
19 or club in an entrepreneurial education account. However,
20 the bill prohibits a school corporation from segregating such
21 moneys unless the moneys are attributable through appropriate
22 documentation to the specific student organization or club
23 and unless the student organization or club shows through
24 appropriate documentation that the student organization or club
25 earned the moneys through entrepreneurial activities.

26 The bill prohibits a student organization or club from
27 investing moneys from an entrepreneurial education account for
28 an entrepreneurial purpose in which a member of the student
29 organization or club, an advisor or supervisor of the student
30 organization or club, or an immediate family member of such
31 persons, has a financial interest.

32 The bill defines "entrepreneurial activities" as starting,
33 maintaining, or expanding a business venture, including a
34 seasonal business venture. The bill defines "entrepreneurial
35 purpose" as investing in a start-up company, early-stage

LSB 2042YH (3) 85

-5-

je/sc

5/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 227

1 company, or existing company developing a new product or new
2 technology if the investment is in keeping with the education
3 program of the school corporation; if the student organization
4 or club or its members will, as a stated condition of the
5 investment, take an active role in the company which directly
6 relates to and furthers the educational purposes for which
7 the student organization or club is established; and if a
8 reasonable return upon the investment is expected.

9 The bill specifies that entrepreneurial education accounts
10 are subject to the annual auditing requirements applicable to
11 government subdivisions including school districts in Code
12 section 11.6.

13 The bill excludes investments of moneys from entrepreneurial
14 education accounts from the limitations on the investment of
15 public funds in Code section 12B.10.

16 The bill excludes moneys in an entrepreneurial education
17 account from the requirement in Code section 298A.8 that moneys
18 in a student activity fund must be used only to support a
19 school corporation's cocurricular program.

20 The bill takes effect upon enactment.

21 The bill applies to moneys in a student activity fund on
22 the effective date of the bill that are attributable through
23 appropriate documentation to a specific student organization or
24 club, and that were earned by the student organization or club
25 through entrepreneurial activities.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 228 - Introduced

HOUSE FILE 228
BY RUNNING-MARQUARDT

A BILL FOR

1 An Act relating to the sales tax exemption for certain
2 wastewater treatment or effluent treatment services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2260YH (1) 85
tm/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 228

1 Section 1. Section 423.3, subsection 32, paragraph c, Code
2 2013, is amended to read as follows:

3 c. The sale or furnishing of sewage service for
4 nonresidential commercial operations, except for water
5 treatment or effluent treatment services to a paper recycling
6 mill.

7 EXPLANATION

8 This bill relates to the sales tax exemption for certain
9 wastewater treatment or effluent treatment services.

10 Currently, the sales price of tangible personal property
11 sold, or of services furnished, by a county or city are exempt
12 from sales tax with four listed exceptions to exemption. One
13 of the exceptions is for the sale or furnishing of sewage
14 service for nonresidential commercial operations. The bill
15 excludes from the exception water treatment or effluent
16 treatment services to a paper recycling mill which makes such
17 services exempt from sales tax.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 229 - Introduced

HOUSE FILE 229
BY ISENHART

A BILL FOR

1 An Act relating to water resources and watershed management.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1425YH (7) 85
tm/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 229

1 Section 1. Section 22.7, Code 2013, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 65. Water stewardship plans submitted
4 to the department of natural resources pursuant to section
5 466B.42.

6 Sec. 2. Section 466B.3, subsection 4, Code 2013, is amended
7 to read as follows:

8 4. *Membership.*

9 a. The voting members of the council shall consist of the
10 following members:

11 ~~a.~~ (1) The director of the department of natural resources
12 or the director's designee.

13 ~~b.~~ (2) The director of the soil conservation division
14 of the department of agriculture and land stewardship or the
15 director's designee.

16 ~~c.~~ (3) The director of the department of public health or
17 the director's designee.

18 ~~d.~~ (4) The administrator of the homeland security and
19 emergency management division of the department of public
20 defense or the administrator's designee.

21 ~~e.~~ (5) The dean of the college of agriculture and life
22 sciences at Iowa state university or the dean's designee.

23 ~~f.~~ (6) The dean of the college of public health at the
24 university of Iowa or the dean's designee.

25 ~~g.~~ (7) The dean of the college of natural sciences at the
26 university of northern Iowa or the dean's designee.

27 ~~h.~~ (8) The director of the department of transportation or
28 the director's designee.

29 ~~i.~~ (9) The director of the economic development authority
30 or the director's designee.

31 ~~j.~~ (10) The executive director of the Iowa finance
32 authority or the executive director's designee.

33 ~~k.~~ (11) The secretary of agriculture, who shall be the
34 chairperson, or the secretary's designee. As the chairperson,
35 and in order to further the coordination efforts of the

LSB 1425YH (7) 85

-1-

tm/nh

1/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 229

1 council, the secretary may invite representatives from
2 any other public agency, private organization, business,
3 citizen group, or nonprofit entity to give public input at
4 council meetings, provided the entity has an interest in the
5 coordinated management of land resources, soil conservation,
6 flood mitigation, or water quality. The secretary shall also
7 invite and solicit advice from the following:
8 ~~(1)~~ (a) The director of the Iowa water science center of
9 the United States geological survey or the director's designee.
10 ~~(2)~~ (b) The state conservationist from the Iowa office of
11 the United States department of agriculture's natural resources
12 conservation service or the state conservationist's designee.
13 ~~(3)~~ (c) The executive director for Iowa from the United
14 States department of agriculture's farm services agency or the
15 executive director's designee.
16 ~~(4)~~ (d) The state director for Iowa from the United States
17 department of agriculture's office of rural development or the
18 state director's designee.
19 ~~(5)~~ (e) The director of region seven of the United States
20 environmental protection agency or the director's designee.
21 ~~(6)~~ (f) The corps commander from the United States army
22 corps of engineers' Rock Island district or the commander's
23 designee.
24 (g) The director of the center for agricultural and
25 rural development at Iowa state university or the director's
26 designee.
27 ~~(12)~~ (12) The dean of the college of engineering at the
28 university of Iowa or the dean's designee.
29 (13) The executive director of conservation districts of
30 Iowa or the executive director's designee.
31 b. The nonvoting members of the council shall include all
32 of the following:
33 (1) Two members of the senate. One senator shall be
34 appointed by the majority leader of the senate and one senator
35 shall be appointed by the minority leader of the senate.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 229

1 (2) Two members of the house of representatives. One
2 member shall be appointed by the speaker of the house of
3 representatives and one member shall be appointed by the
4 minority leader of the house of representatives.

5 Sec. 3. Section 466B.3, subsection 6, Code 2013, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *d.* In coordination with the department of
8 natural resources and the department of agriculture and land
9 stewardship, the council shall review, amend, and approve the
10 state nutrient reduction strategy. In reviewing and approving
11 the strategy, the council shall ensure that all concerns raised
12 by the United States environmental protection agency regarding
13 the strategy are addressed. The department of natural
14 resources and the department of land stewardship shall include
15 in the final strategy any changes recommended by the council.
16 In coordination with the department of natural resources and
17 the department of agriculture and land stewardship, the council
18 shall provide oversight of the implementation of the strategy.

19 Sec. 4. Section 466B.31, subsection 1, Code 2013, is amended
20 to read as follows:

21 1. A watershed planning advisory council is established
22 for purposes of assembling a diverse group of stakeholders to
23 review research and make recommendations to and collaborate
24 with various state entities regarding methods to protect water
25 resources in the state, assure an adequate supply of water,
26 mitigate and prevent floods, and coordinate the management of
27 those resources in a sustainable, fiscally responsible, and
28 environmentally responsible manner. The advisory council may
29 seek input from councils of governments or other organizations
30 in the development of its recommendations. The advisory
31 council shall meet once a year and at other times as deemed
32 necessary to meet the requirements of this section. The
33 advisory council may appoint a task force to assist the
34 advisory council in completing its duties.

35 Sec. 5. Section 466B.31, subsection 2, paragraph a,

LSB 1425YH (7) 85

-3-

tm/nh

3/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 229

1 subparagraph (12), Code 2013, is amended by striking the
2 subparagraph.

3 Sec. 6. Section 466B.31, subsection 2, paragraph a, Code
4 2013, is amended by adding the following new subparagraphs:

5 NEW SUBPARAGRAPH. (20) One member selected by the women,
6 food, and agriculture network.

7 NEW SUBPARAGRAPH. (21) One member selected by the midwest
8 office of the environmental working group.

9 NEW SUBPARAGRAPH. (22) One member selected by practical
10 farmers of Iowa.

11 NEW SUBPARAGRAPH. (23) One member selected by the Iowa
12 farmers union.

13 NEW SUBPARAGRAPH. (24) One member selected by the Iowa
14 association of county conservation boards.

15 NEW SUBPARAGRAPH. (25) One member selected by the Iowa
16 association of water agencies.

17 NEW SUBPARAGRAPH. (26) One member selected by watershed
18 management authorities created pursuant to section 466B.22.

19 Sec. 7. Section 466B.31, subsection 2, paragraph b, Code
20 2013, is amended by striking the paragraph.

21 Sec. 8. NEW SECTION. **466B.41 Distressed subwatersheds.**

22 1. By January 1, 2014, the department of natural resources
23 shall adopt rules pursuant to chapter 17A designed to identify
24 and designate distressed subwatersheds in the state. The rules
25 shall provide that distressed subwatersheds are subwatersheds
26 with the greatest water quality concerns based on nitrogen
27 levels, phosphorus levels, and other pollutant levels flowing
28 out from the subwatershed. The rules shall provide for the
29 reevaluation of distressed subwatersheds and the removal of the
30 designation. Distressed subwatersheds shall be designated by
31 July 1, 2014.

32 2. The department shall establish pollutant reduction goals
33 for each distressed subwatershed at the time of designation.
34 The goal shall be a collective subwatershed goal of a minimum
35 of a fifty percent reduction in the pollutants flowing out of

LSB 1425YH (7) 85

-4-

tm/nh

4/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 229

1 the subwatershed.

2 3. The department shall coordinate the activities between
3 the water resources coordinating council and any watershed
4 management authority located in a distressed subwatershed.

5 Sec. 9. NEW SECTION. 466B.42 Water stewardship plans.

6 1. For purposes of this section, "*agricultural land*" means
7 the same as defined in chapter 9I.

8 2. Each owner of agricultural land in a distressed
9 subwatershed designated pursuant to section 466B.41 shall
10 develop a water stewardship plan. A water stewardship plan
11 is a written strategy identifying the conservation practices
12 the owner of the agricultural land will implement and maintain
13 to assist the distressed subwatershed in meeting the pollution
14 reduction goal established pursuant to section 466B.41. At a
15 minimum, a plan shall do all of the following, as applicable:

16 a. Budget, supply, and conserve nutrients for plant
17 production.

18 b. Minimize agricultural nonpoint source pollution of
19 surface and groundwater.

20 c. Properly utilize manure or organic byproducts as a plant
21 nutrient source.

22 d. Maintain or improve the physical, chemical, and
23 biological condition of soil.

24 3. A water stewardship plan shall be developed using
25 conservation parameters developed by the department of
26 agriculture and land stewardship, including baseline practices
27 based on the particular soil type, slope, and landscape
28 features.

29 4. Each owner of agricultural land required to develop a
30 water stewardship plan shall obtain approval of the plan from
31 the department of agriculture and land stewardship or a person
32 approved by the department. After approval, the plan shall be
33 submitted to the department of natural resources.

34 5. The department of natural resources shall require
35 periodic review and, if needed, updating of each water



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 229

1 stewardship plan by the person submitting the plan.

2 6. Notwithstanding chapter 22, the department of natural
3 resources shall not make individual water stewardship plans
4 public. The department shall make public aggregate measures of
5 pollutants and aggregate, nonidentifiable summaries of water
6 stewardship plans and conservation practices.

7 EXPLANATION

8 This bill relates to water resources and watershed
9 management.

10 The bill adds one voting member and four legislative
11 nonvoting members to the water resources coordinating council.

12 The bill requires the water resources coordinating council,
13 in coordination with the department of natural resources and
14 the department of agriculture and land stewardship, to review,
15 amend, and approve the state nutrient reduction strategy, and
16 to provide oversight of the implementation of the strategy.

17 The bill removes one voting member and four legislative
18 nonvoting members from the watershed planning advisory council.
19 The bill adds seven new voting members to the council.

20 The bill requires the department of natural resources to
21 adopt rules to identify and designate distressed subwatersheds
22 in the state. The distressed subwatersheds shall be designated
23 by July 1, 2014. The bill requires the department to establish
24 pollutant reduction goals for each distressed subwatershed
25 at the time of designation. The goal shall be a collective
26 subwatershed goal of a minimum of a 50 percent reduction in the
27 pollutants flowing out of the subwatershed. The bill requires
28 the department to coordinate the activities between the water
29 resources coordinating council and any watershed management
30 authority located in a distressed subwatershed.

31 The bill requires each owner of agricultural land in
32 a designated distressed subwatershed to develop a water
33 stewardship plan. A water stewardship plan is a written
34 strategy identifying the conservation practices the owner of
35 the agricultural land will implement and maintain to assist the

LSB 1425YH (7) 85

-6-

tm/nh

6/7



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 229

1 distressed subwatershed in meeting the pollution reduction goal
2 for the subwatershed. The bill requires a water stewardship
3 plan to be developed using conservation parameters developed by
4 the department of agriculture and land stewardship. The bill
5 requires each owner of agricultural land to obtain approval of
6 the water stewardship plan from the department of agriculture
7 and land stewardship or a person approved by the department.
8 The bill requires approved plans to be submitted to the
9 department of natural resources. The bill prohibits individual
10 water stewardship plans from being made public and requires
11 the department of natural resources to make public certain
12 aggregate, nonidentifiable information.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 230 - Introduced

HOUSE FILE 230
BY GARRETT

A BILL FOR

1 An Act relating to regionalization of county mental health and
2 disability services and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1840HH (5) 85
jp/rj



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 230

1 Section 1. Section 331.389, subsection 3, paragraph a, Code
2 2013, is amended to read as follows:

3 a. The counties comprising the region are contiguous except
4 that a region may include a county that is not contiguous with
5 any of the other counties in the region, if the county that is
6 not contiguous has had a formal relationship for two years or
7 longer with one or more of the other counties in the region for
8 the provision of mental health and disability services.

9 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
10 importance, takes effect upon enactment.

11 EXPLANATION

12 This bill relates to regionalization of county mental health
13 and disability services (MH/DS).

14 Code section 331.389, relating to the criteria for county
15 agreements to form MH/DS regions, is amended to provide an
16 exception from the requirement that the counties comprising a
17 region must be contiguous. The exception allows a region to
18 include a county that is not contiguous with the other counties
19 in the region. The county that is not contiguous must have had
20 a formal relationship for two years or longer with one or more
21 of the other counties in the region for the provision of MH/DS.

22 The bill takes effect upon enactment.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 231 - Introduced

HOUSE FILE 231
BY KELLEY

A BILL FOR

1 An Act relating to the assessment of the drug abuse resistance
2 education surcharge.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2189HH (1) 85
jm/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 231

1 Section 1. Section 907.3, unnumbered paragraph 1, Code
2 2013, is amended to read as follows:

3 Pursuant to section 901.5, the trial court may, upon a plea
4 of guilty, a verdict of guilty, or a special verdict upon which
5 a judgment of conviction may be rendered, exercise any of the
6 options contained in this section. However, this section does
7 not apply to a forcible felony ~~or~~, to a violation of chapter
8 709 committed by a person who is a mandatory reporter of child
9 abuse under section 232.69 in which the victim is a person who
10 is under the age of eighteen, or to the drug abuse resistance
11 education surcharge assessed in section 911.2.

12 Sec. 2. Section 911.2, subsection 2, Code 2013, is amended
13 to read as follows:

14 2. In the event of multiple offenses, the surcharge shall be
15 imposed for each applicable offense. The surcharge shall ~~not~~
16 also be assessed for any offense for which the court defers the
17 sentence or judgment or suspends the sentence.

18 EXPLANATION

19 This bill relates to the assessment of the drug abuse
20 resistance education surcharge.

21 The bill requires the assessment of the drug abuse
22 resistance education surcharge for a deferred judgment or
23 sentence or a suspended sentence.

24 The drug abuse resistance education surcharge is assessed
25 for violations of Code chapter 321J (OWI) or Code chapter 124,
26 division IV (controlled substances).

27 The amount of the drug abuse resistance education surcharge
28 is \$10 for each violation and is distributed to the governor's
29 office of drug control policy pursuant to Code section
30 602.8108(4).

LSB 2189HH (1) 85

-1-

jm/nh

1/1



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 232 - Introduced

HOUSE FILE 232

BY RUNNING-MARQUARDT, STAED,
T. TAYLOR, and M. SMITH

A BILL FOR

1 An Act relating to the state comprehensive Alzheimer's disease
2 response strategy.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 232

1 Section 1. **NEW SECTION. 135P.1 Definitions.**

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. *"Alzheimer's disease"* or *"Alzheimer's"* means a
5 progressive, degenerative, fatal disorder that results in loss
6 of memory, loss of thinking and language skills, and behavioral
7 changes. *"Alzheimer's disease"* includes related dementias
8 including vascular dementia, Parkinson's disease, dementia with
9 Lewy bodies, frontotemporal dementia, Crutzfeldt-Jakob disease,
10 normal pressure hydrocephalus, and mixed dementia.

11 2. *"Department"* means the department of public health.

12 Sec. 2. **NEW SECTION. 135P.2 Alzheimer's disease —**
13 **state-level coordination and comprehensive response strategy.**

14 1. The department shall develop and administer, and
15 provide for state-level coordination of, a comprehensive
16 Alzheimer's disease response strategy in accordance with the
17 recommendations of the stakeholder workgroup convened pursuant
18 to 2011 Iowa Acts, chapter 61. The response strategy shall
19 include development and monitoring of short-term and long-term
20 objectives and action steps to ensure that individuals with
21 Alzheimer's disease have access to the highest quality and
22 most appropriate care at all stages of the disease and in
23 all settings across the service and supports continuum. The
24 response strategy may include prioritization of objectives
25 and action steps to most efficiently utilize resources and
26 funding. The department shall update the initial response
27 strategy biennially and shall submit a progress report annually
28 in January to the governor and the general assembly.

29 2. In providing state-level coordination, the department
30 shall integrate public and private resources and programs,
31 reduce duplication, evaluate programs and services to ensure
32 that evidence-based, high-quality programs and services are
33 available to maximize the positive impact for individuals with
34 Alzheimer's and their families and caregivers, and promote
35 public awareness.

LSB 2080HH (2) 85

-1-

pf/nh

1/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 232

1 3. In developing the comprehensive Alzheimer's disease
2 response strategy, the department shall do all of the
3 following:
4 a. Establish an Alzheimer's disease coordinator position
5 in the department in a manner similar to those positions
6 that address other chronic conditions in the state. The
7 coordinator, in partnership with public and private entities
8 and the multidisciplinary advisory council convened pursuant to
9 paragraph "b", shall do all of the following:
10 (1) Implement the recommendations of the Alzheimer's
11 disease stakeholder workgroup convened pursuant to 2011 Iowa
12 Acts, chapter 61, and establish standards for the comprehensive
13 Alzheimer's disease response strategy.
14 (2) Inform, educate, and empower the public regarding the
15 impact of Alzheimer's disease, in order to increase awareness
16 of the disease and in particular the benefits of early
17 detection, while working to decrease the stigma associated with
18 Alzheimer's disease.
19 (3) Monitor the prevalence of Alzheimer's disease and
20 cognitive impairment in the state through data collection and
21 coordination efforts. Such data shall be made available to
22 and used to assist public and private efforts in developing
23 evidence-based programs and policies that address Alzheimer's
24 disease.
25 (4) Evaluate, and promote the improved effectiveness,
26 accessibility, and quality of, clinical and population-based
27 Alzheimer's services. The evaluation and promotion efforts
28 shall include coordination of services to reach rural and
29 underserved areas of the state.
30 (5) Ensure a competent public and private sector workforce
31 specific to the challenges of Alzheimer's disease. The effort
32 shall include coordinating existing state efforts to develop,
33 implement, and evaluate curricula and training requirements
34 for providers of services who interact with individuals with
35 Alzheimer's disease.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 232

1 (6) Act as a liaison to the aging and disabilities resource
2 centers, area agencies on aging, Alzheimer's association
3 chapters, the health and long-term care access advisory council
4 created by the department to implement the directives of
5 sections 135.163 and 135.164, and other entities to ensure
6 Alzheimer's disease is appropriately addressed in the state.

7 (7) Secure public and private funding relating to dementia
8 to fulfill the duties specified under this chapter.

9 b. Convene a multidisciplinary advisory council. The
10 council shall assist and advise the department and the
11 coordinator; develop partnerships to provide coordination,
12 collaboration, and support for Alzheimer's-related services
13 and programs throughout the state; and advocate on behalf of
14 persons with Alzheimer's disease and their families. The
15 advisory council shall, at a minimum, include representation
16 from individuals with Alzheimer's disease and their families;
17 caregivers and other providers of services and supports;
18 medical providers including primary and specialty care
19 providers, which shall include geriatricians, neurologists,
20 and others with expertise in Alzheimer's disease; the
21 Alzheimer's association; community-based organizations and
22 other organizations with interest or expertise in Alzheimer's
23 disease; academic institutions and programs with a focus
24 on Alzheimer's disease and dementia; and appropriate state
25 agencies including but not limited to the department on
26 aging, the department of human services, the department of
27 inspections and appeals, the department of public safety, and
28 the department of workforce development. The department shall
29 enlist private entities in providing staff support for the
30 council.

31 Sec. 3. REPEAL. Sections 135.171 and 231.62, Code 2013,
32 are repealed.

33 Sec. 4. INCORPORATION OF EXISTING STATE DUTIES. The
34 department of public health shall incorporate the requirements
35 specified in sections 135.171 and 231.62, Code 2013, into

LSB 2080HH (2) 85

pf/nh

3/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 232

1 the comprehensive Alzheimer's disease strategy developed and
2 administered pursuant to this Act.

3 EXPLANATION

4 This bill relates to state-level coordination of and a
5 comprehensive response strategy for Alzheimer's disease. The
6 bill creates a new Code chapter, Code chapter 135P, to direct
7 that the department of public health (DPH) is to develop and
8 administer, and provide for state-level coordination of, a
9 comprehensive Alzheimer's disease response strategy. The bill
10 provides a definition of Alzheimer's disease which includes
11 related dementias.

12 The bill directs DPH to develop and administer a
13 comprehensive Alzheimer's disease response strategy, to update
14 the strategy biennially, and to submit a progress report
15 annually in January to the governor and the general assembly.
16 The response strategy may include prioritization of objectives
17 and action steps to most efficiently utilize resources and
18 funding.

19 In providing state-level coordination, DPH is directed
20 to integrate public and private resources and programs,
21 reduce duplication, evaluate programs and services to ensure
22 that evidence-based, high-quality programs and services are
23 available to maximize the positive impact for individuals with
24 Alzheimer's and their families and caregivers, and promote
25 public awareness.

26 In developing and administering the comprehensive
27 Alzheimer's disease response strategy, DPH is directed to
28 establish an Alzheimer's disease coordinator within the
29 department and to convene a multidisciplinary advisory council.

30 The coordinator, in partnership with public and private
31 entities and the multidisciplinary advisory council, is
32 directed to implement the recommendations of the 2011
33 Alzheimer's disease stakeholder workgroup, and establish
34 standards for the comprehensive Alzheimer's disease response
35 strategy; inform, educate, and empower the public regarding

LSB 2080HH (2) 85
pf/nh

4/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 232

1 the impact of Alzheimer's disease, in order to increase
2 awareness of the disease and in particular the benefits
3 of early detection, while working to decrease the stigma
4 associated with Alzheimer's disease; monitor the prevalence
5 of Alzheimer's disease and cognitive impairment in the state
6 through data collection and coordination efforts and make
7 the data available to assist public and private efforts in
8 developing evidence-based programs and policies that address
9 Alzheimer's disease; evaluate, and promote the improved
10 effectiveness, accessibility and quality of, clinical and
11 population-based Alzheimer's services, including coordination
12 of services to reach rural and underserved areas of the
13 state; ensure a competent public and private sector workforce
14 specific to the challenges of Alzheimer's disease including
15 through coordination of state efforts regarding curricula and
16 training requirements for providers of services who interact
17 with individuals with Alzheimer's disease; act as a liaison to
18 various entities to ensure Alzheimer's disease is appropriately
19 addressed in the state; and secure public and private funding
20 relating to dementia to fulfill the duties specified under this
21 chapter.

22 The multidisciplinary advisory council is to assist and
23 advise the department and the coordinator; develop partnerships
24 related to Alzheimer's-related services and programs throughout
25 the state; and advocate on behalf of persons with Alzheimer's
26 disease and their families. The bill specifies the minimum
27 representation to be included in the advisory council.

28 The bill repeals the Code section relating to a directive
29 to DPH to analyze Iowa's population to determine the existing
30 service utilization and future service needs of persons with
31 Alzheimer's disease and similar forms of irreversible dementia
32 (Code section 135.171). The bill also repeals the Code
33 section relating to a directive to the department on aging to
34 review trends and initiatives to address the long-term living
35 needs of Iowans with Alzheimer's disease and similar forms



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 232

1 of irreversible dementia, and to expand and improve training
2 and education of persons who regularly deal with persons with
3 Alzheimer's disease and similar forms of irreversible dementia
4 (Code section 231.62). DPH is required to incorporate both of
5 these directives into the comprehensive Alzheimer's disease
6 response strategy developed and administered under the bill.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 233 - Introduced

HOUSE FILE 233
BY KELLEY

A BILL FOR

1 An Act prohibiting employment discrimination based on a
2 person's credit score or home ownership status and making
3 penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2202HH (1) 85
je/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 233

1 Section 1. Section 19B.2, unnumbered paragraph 1, Code
2 2013, is amended to read as follows:

3 It is the policy of this state to provide equal opportunity
4 in state employment to all persons. An individual shall not be
5 denied equal access to state employment opportunities because
6 of race, creed, color, religion, national origin, sex, age,
7 credit score, home ownership status, or physical or mental
8 disability. It also is the policy of this state to apply
9 affirmative action measures to correct deficiencies in the
10 state employment system where those remedies are appropriate.
11 This policy shall be construed broadly to effectuate its
12 purposes.

13 Sec. 2. Section 19B.11, subsection 1, Code 2013, is amended
14 to read as follows:

15 1. It is the policy of this state to provide equal
16 opportunity in school district, area education agency, and
17 community college employment to all persons. An individual
18 shall not be denied equal access to school district, area
19 education agency, or community college employment opportunities
20 because of race, creed, color, religion, national origin,
21 sex, age, credit score, home ownership status, or physical or
22 mental disability. It also is the policy of this state to
23 apply affirmative action measures to correct deficiencies in
24 school district, area education agency, and community college
25 employment systems where those remedies are appropriate. This
26 policy shall be construed broadly to effectuate its purposes.

27 Sec. 3. Section 216.2, Code 2013, is amended by adding the
28 following new subsections:

29 NEW SUBSECTION. 2A. "*Consumer reporting agency*" means
30 any person that for monetary fees, dues, or on a cooperative
31 nonprofit basis regularly engages in whole or in part in
32 the practice of assembling or evaluating consumer credit
33 information or other information on consumers for the purpose
34 of furnishing consumer reports to third parties.

35 NEW SUBSECTION. 4A. "*Credit report*" means any written,

LSB 2202HH (1) 85

-1-

je/sc

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 233

1 oral, or other communication of information by a consumer
2 reporting agency that relates to a consumer's creditworthiness,
3 credit standing, or credit capacity.

4 NEW SUBSECTION. 4B. "*Credit score*" means a number or
5 rating that is derived from an algorithm, computer application,
6 model, or other process that is based in whole or in part on
7 information from a person's credit report.

8 NEW SUBSECTION. 10A. "*Home ownership status*" means whether
9 or not an individual owns real estate classified as residential
10 property for property taxation purposes.

11 Sec. 4. Section 216.5, subsections 6 and 8, Code 2013, are
12 amended to read as follows:

13 6. To issue such publications and reports of investigations
14 and research as in the judgment of the commission shall tend
15 to promote goodwill among the various racial, religious, and
16 ethnic groups of the state and which shall tend to minimize or
17 eliminate discrimination in public accommodations, employment,
18 apprenticeship and on-the-job training programs, vocational
19 schools, or housing because of race, creed, color, sex, sexual
20 orientation, gender identity, national origin, religion,
21 ancestry, credit score, home ownership status, or disability.

22 8. To make recommendations to the general assembly for
23 such further legislation concerning discrimination because of
24 race, creed, color, sex, sexual orientation, gender identity,
25 national origin, religion, ancestry, credit score, home
26 ownership status, or disability as it may deem necessary and
27 desirable.

28 Sec. 5. Section 216.6, subsection 1, paragraphs a through c,
29 Code 2013, are amended to read as follows:

30 a. Person to refuse to hire, accept, register, classify,
31 or refer for employment, to discharge any employee, or to
32 otherwise discriminate in employment against any applicant for
33 employment or any employee because of the age, race, creed,
34 color, sex, sexual orientation, gender identity, national
35 origin, religion, credit score, home ownership status, or

LSB 2202HH (1) 85

-2-

je/sc

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 233

1 disability of such applicant or employee, unless based upon
2 the nature of the occupation. If a person with a disability
3 is qualified to perform a particular occupation, by reason of
4 training or experience, the nature of that occupation shall
5 not be the basis for exception to the unfair or discriminating
6 practices prohibited by this subsection.

7 **b.** Labor organization or the employees, agents, or members
8 thereof to refuse to admit to membership any applicant, to
9 expel any member, or to otherwise discriminate against any
10 applicant for membership or any member in the privileges,
11 rights, or benefits of such membership because of the age,
12 race, creed, color, sex, sexual orientation, gender identity,
13 national origin, religion, credit score, home ownership status,
14 or disability of such applicant or member.

15 **c.** Employer, employment agency, labor organization, or the
16 employees, agents, or members thereof to directly or indirectly
17 advertise or in any other manner indicate or publicize that
18 individuals of any particular age, race, creed, color,
19 sex, sexual orientation, gender identity, national origin,
20 religion, credit score, home ownership status, or disability
21 are unwelcome, objectionable, not acceptable, or not solicited
22 for employment or membership unless based on the nature of the
23 occupation.

24 (1) If a person with a disability is qualified to perform a
25 particular occupation by reason of training or experience, the
26 nature of that occupation shall not be the basis for exception
27 to the unfair or discriminating practices prohibited by this
28 subsection.

29 (2) An employer, employment agency, or their employees,
30 servants, or agents may offer employment or advertise for
31 employment to only persons with disabilities, when other
32 applicants have available to them other employment compatible
33 with their ability which would not be available to persons
34 with disabilities because of their disabilities. Any such
35 employment or offer of employment shall not discriminate among

LSB 2202HH (1) 85

-3-

je/sc

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 233

1 persons with disabilities on the basis of race, color, creed,
2 sex, sexual orientation, gender identity, credit score, home
3 ownership status, or national origin.

4 EXPLANATION

5 This bill prohibits discriminatory employment practices
6 based upon a person's credit score or homeowner status. The
7 bill defines "consumer reporting agency", "credit report",
8 "credit score", and "homeowner status". Penalty provisions
9 for discriminatory employment practices are made applicable to
10 discrimination based on a person's credit score or homeowner
11 status.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 234 - Introduced

HOUSE FILE 234

BY HEIN, PETTENGILL, DEYOE,
MAXWELL, and SALMON

A BILL FOR

1 An Act relating to the underage possession or consumption of
2 alcohol and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1409YH (2) 85
rh/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 234

1 Section 1. Section 123.47, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. Except for the purposes described in
4 subsection 2, a person who is the owner or lessee of, or who
5 otherwise has control over, property that is not a licensed
6 premises, shall not permit any person, knowing or having
7 reasonable cause to believe the person to be under legal age,
8 to consume or possess on such property any alcoholic liquor,
9 wine, or beer.

10 Sec. 2. Section 123.47, subsection 2, Code 2013, is amended
11 to read as follows:

12 2. A person or persons under legal age shall not purchase or
13 attempt to purchase, consume, or individually or jointly have
14 alcoholic liquor, wine, or beer in their possession or control;
15 except in the case of liquor, wine, or beer given or dispensed
16 to a person under legal age within a private home and with the
17 knowledge, presence, and consent of the parent or guardian, for
18 beverage or medicinal purposes or as administered to the person
19 by either a physician or dentist for medicinal purposes and
20 except to the extent that a person under legal age may handle
21 alcoholic beverages, wine, and beer during the regular course
22 of the person's employment by a liquor control licensee, or
23 wine or beer permittee under this chapter.

24 Sec. 3. Section 123.47, subsection 3, paragraph a,
25 unnumbered paragraph 1, Code 2013, is amended to read as
26 follows:

27 A person who is eighteen, nineteen, or twenty years of
28 age, other than a licensee or permittee, who violates this
29 section regarding the purchase of, ~~or attempt to purchase,~~ or
30 consumption of alcoholic liquor, wine, or beer, or possessing
31 or having control of alcoholic liquor, wine, or beer, or
32 permitting under legal age consumption or possession on certain
33 property commits the following:

34 Sec. 4. Section 123.47, subsection 3, paragraph a,
35 subparagraph (1), Code 2013, is amended to read as follows:

LSB 1409YH (2) 85

-1-

rh/nh

1/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 234

1 (1) A simple misdemeanor punishable as a scheduled
2 violation under section 805.8C, subsection 7. Notwithstanding
3 section 903.1, the court, in lieu of ordering payment of a
4 scheduled fine, may suspend the fine and order the person who
5 is eighteen, nineteen, or twenty years of age to receive a
6 substance abuse evaluation by a program licensed to provide
7 services pursuant to section 125.13.

8 Sec. 5. Section 123.47, subsection 4, Code 2013, is amended
9 to read as follows:

10 4. Except as otherwise provided in subsections 5 and 6, a
11 person who is of legal age, other than a licensee or permittee,
12 who sells, gives, or otherwise supplies alcoholic liquor, wine,
13 or beer to a person who is under legal age in violation of this
14 section, or permits under legal age consumption or possession
15 on certain property, commits a serious misdemeanor punishable
16 by a minimum fine of five hundred dollars.

17 Sec. 6. Section 123.47B, Code 2013, is amended to read as
18 follows:

19 **123.47B Parental and school notification — persons under**
20 **eighteen years of age.**

21 1. A peace officer shall make a reasonable effort to
22 identify a person under the age of eighteen discovered
23 consuming or to be in possession of alcoholic liquor, wine, or
24 beer in violation of section 123.47 and refer the person to
25 juvenile court.

26 2. The juvenile court officer shall notify the person's
27 custodial parent, legal guardian, or custodian of the
28 violation. In addition, the juvenile court shall also make
29 a reasonable effort to identify the elementary or secondary
30 school which the person attends if the person is enrolled in
31 elementary or secondary school and to notify the superintendent
32 or the superintendent's designee of the school which the person
33 attends, or the authorities in charge of the nonpublic school
34 which the person attends, of the consumption or possession. A
35 reasonable attempt to notify the person includes but is not

LSB 1409YH (2) 85

rh/nh

2/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 234

1 limited to a telephone call or notice by first-class mail.

2 Sec. 7. Section 232.52, subsection 2, paragraph a,
3 subparagraph (4), subparagraph division (a), subparagraph
4 subdivision (ii), Code 2013, is amended to read as follows:

5 (ii) Section 123.47 regarding the purchase, ~~or~~ attempt to
6 purchase, or consumption of alcoholic beverages.

7 Sec. 8. Section 232.52, subsection 2, paragraph a,
8 subparagraph (4), subparagraph division (a), subparagraph
9 subdivision (vi), Code 2013, is amended to read as follows:

10 (vi) Two or more violations of section 123.47 regarding the
11 consumption or possession of alcoholic beverages.

12 EXPLANATION

13 This bill relates to the underage possession or consumption
14 of alcohol and provides penalties.

15 Under the bill, a person who is the owner or lessee of, or
16 who otherwise has control over, property that is not a licensed
17 premises, shall not permit an under legal age person to consume
18 or possess an alcoholic beverage on such property.

19 The bill amends Code section 123.47 to specify that a person
20 under legal age (under 21) in Iowa is prohibited from consuming
21 alcoholic liquor, wine, or beer, subject to certain exceptions
22 (if consumed in a private home with the knowledge, presence,
23 and consent of the underage person's parent or guardian, for
24 beverage or medicinal purposes or as administered to the person
25 by either a physician or dentist for medicinal purposes, and to
26 the extent that a person under legal age may handle alcoholic
27 beverages, wine, and beer during the regular course of the
28 person's employment by a liquor control licensee, or wine
29 or beer permittee under Code chapter 123). The bill makes
30 conforming changes.

31 For a first offense, a person who is 18, 19, or 20 who
32 permits under legal age consumption or possession in violation
33 of the bill commits a simple misdemeanor punishable as a
34 scheduled violation under Code section 805.8C, subsection 7;
35 for a second offense a person commits a simple misdemeanor

LSB 1409YH (2) 85

-3-

rh/nh

3/4



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 234

1 punishable by a fine of \$500; and for a third or subsequent
2 offense the person commits a simple misdemeanor punishable by
3 a fine of \$500 and suspension of the person's motor vehicle
4 operating privileges for up to one year.

5 The court, for a first offense by a person who is 18, 19,
6 or 20, may suspend the payment of a scheduled fine and order
7 the person who is 18, 19, or 20 to receive a substance abuse
8 evaluation by a program licensed to provide services pursuant
9 to Code section 125.13.

10 A person of legal age who permits under legal age consumption
11 or possession in violation of the bill commits a serious
12 misdemeanor punishable by a minimum fine of \$500.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 235 - Introduced

HOUSE FILE 235

BY HEARTSILL, WINDSCHITL,
VANDER LINDEN, ALONS,
WATTS, SCHULTZ, PETTENGILL,
SALMON, FISHER, HUSEMAN,
LANDON, SHEETS, SHAW,
MAXWELL, and GASSMAN

A BILL FOR

1 An Act repealing a requirement that taxpayers indicate on their
2 tax returns the presence or absence of health care coverage
3 for their dependent children and apply for certain public
4 health care coverage, and including effective date and
5 retroactive applicability provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2069YH (6) 85
av/sc



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 235

1 Section 1. REPEAL. Section 422.12M, Code 2013, is repealed.
2 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
3 immediate importance, takes effect upon enactment.
4 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies
5 retroactively to January 1, 2013, for tax years beginning on
6 or after that date.

7 EXPLANATION

8 This bill repeals Code section 422.12M, which requires
9 taxpayers to indicate on their tax returns the presence or
10 absence of health care coverage for their dependent children
11 and to apply for Medicaid or the hawk-i program if they meet
12 certain income eligibility standards. The bill is effective
13 upon enactment and applies retroactively to January 1, 2013,
14 for tax years beginning on or after that date.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

House File 236 - Introduced

HOUSE FILE 236
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 24)

A BILL FOR

1 An Act relating to the operation of golf carts on the streets
2 of an established community within an unincorporated area
3 and making a penalty applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1053HV (1) 85
dea/nh



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 236

1 Section 1. Section 321.247, Code 2013, is amended to read
2 as follows:
3 **321.247 Golf cart operation ~~on city streets.~~**
4 1. a. ~~Incorporated areas may, upon approval of their~~ The
5 governing body, of an incorporated area may allow the operation
6 of golf carts on city streets by persons possessing a valid
7 driver's license. However, a person shall not operate a golf
8 cart ~~shall not be operated~~ upon a city street which is a
9 primary road extension through the city ~~but shall be allowed to~~
10 except to cross a city street which is a primary road extension
11 through the city.
12 b. (1) A county board of supervisors may allow the
13 operation of golf carts on the streets of an established
14 community within the unincorporated area of the county by
15 persons possessing a valid driver's license. However, a person
16 shall not operate a golf cart upon a primary road within an
17 unincorporated area except to cross a section of a primary road
18 which lies within an established community in which golf cart
19 operation is permitted.
20 (2) For purposes of this lettered paragraph "b",
21 "established community" means an area designated by the county
22 board of supervisors which is the same or substantially the
23 same as an area identified by the United States census bureau
24 as a census designated place as of the most recent decennial
25 census.
26 c. The operation of golf carts pursuant to paragraph "a" or
27 "b" is only allowed between sunrise and sunset.
28 ~~b. d.~~ The golf carts A golf cart operated on streets
29 pursuant to paragraph "a" or "b" shall be equipped with a slow
30 moving vehicle sign, and a bicycle safety flag, ~~and operate on~~
31 ~~the streets only from sunrise to sunset.~~
32 ~~c.~~ Golf carts operated on city streets shall be equipped
33 with adequate brakes and shall meet any other safety
34 requirements imposed by the governing body or the board.
35 2. Golf carts are not subject to the registration provisions

LSB 1053HV (1) 85

-1-

dea/nh

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 236

1 of this chapter.

2 3. A person who violates subsection 1 commits a simple
3 misdemeanor punishable as a scheduled violation under section
4 805.8A, subsection 3.

5 EXPLANATION

6 Under current law, golf carts may be operated on certain city
7 streets if approved by the governing body of the incorporated
8 area. Golf carts may not be operated on a primary road
9 extension within the city except to cross the primary road
10 extension, and golf cart operation is only allowed from sunrise
11 to sunset. The person operating the golf cart must have a
12 valid driver's license and the golf cart must be equipped with
13 a slow moving vehicle sign, a bicycle safety flag, and adequate
14 brakes. The governing body may impose additional safety
15 requirements.

16 This bill allows a county board of supervisors to allow
17 the operation of golf carts on the streets of an established
18 community within an unincorporated area. The bill defines
19 "established community" to mean an area designated by the
20 board of supervisors which is the same or substantially the
21 same as an area identified by the United States census bureau
22 as a census designated place as of the most recent decennial
23 census. Census designated places are statistical counterparts
24 of incorporated places and contain settled concentrations of
25 population which are identifiable by name. Under the bill,
26 golf cart operation in an established community within an
27 unincorporated area is subject to the same licensing and safety
28 equipment requirements currently applicable to the operation of
29 golf carts in cities. Golf carts are not permitted on primary
30 roads within an unincorporated area, except to cross a segment
31 of a primary road located within the established community
32 where golf cart operation is allowed. The bill specifies that
33 in cities and unincorporated areas where golf cart operation is
34 allowed, it may only take place between sunrise and sunset.

35 A person who violates provisions relating to the operation

LSB 1053HV (1) 85
dea/nh

-2-

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
February 15, 2013

H.F. 236

1 of a golf cart on a street commits a simple misdemeanor
2 punishable by a scheduled fine of \$100.